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09/971,833	10/05/2001	Andrew L. Stern	10303/7000	4296

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EXAMINER

UBILES, MARIE C

ART UNIT	PAPER NUMBER
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2642

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DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary

Application No.

09/971,833

Applicant(s)

STERN ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 29-32 is/are rejected.
- 7) ☒ Claim(s) 28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is not understood. The step of "assigning a conference I.D. number" has no specific format. An I.D. may be one digit, two digits, or any number of digits, thus the next step of "deriving an input sequence and a PIN from the conference^I.D. number" becomes confusing. Are there limits on the format of the PIN and input sequence? The input sequence which is derived from the first portion of the conference I.D. number, becomes a "telephone number" in claim 6. Deriving a telephone number from an arbitrary conference I.D. number is not understood by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

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Claims 7-18, 20, 22, 25, 27 and 29-31 are rejected under 35 U.S.C. 102(a) as being anticipated by Cornell et al. (US 6,330,320).

Cornell et al. disclose a method of allocating available space on a teleconferencing bridge to a group of subscriber units or participants (See Brief Summary of the Invention, Col. 2, lines 7-12), the method comprising: receiving information derived from a telephone number or non-directory telephone number or subscriber's originating number (See Detailed Description, Col. 4, lines 15-17) upon which a call from a subscriber unit is received (See Detailed Description, Col. 4, lines 2-4); receiving a PIN from the subscriber unit (See Detailed Description, Col. 2, lines 28-31); deriving, from the PIN and the information derived from the telephone number, a conference I.D. number (as read on "the subscriber can be identified") (See Detailed Description, Col. 4, lines 39-42); validating the conference I.D. number (See Detailed Description, Col. 4, lines 62-67); and allocating the space to the subscriber based on a result of validating the conference I.D. number (See Detailed Description, Col. 4, line 67 and Col. 5, lines 1-2).

As for claim 8, Cornell et al. disclose the method as claimed wherein receiving information derived from the telephone number includes receiving an area code associated with the telephone number (as read on "or even a local number") (See Detailed Description, Col. 4, lines 7-9).

As for claim 20, Cornell et al. disclose the teleconferencing bridge as claimed wherein the programmable device includes a storage element that stores a database of

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records corresponding to a plurality of conferees (See Brief Summary of the Invention, Col. 2, lines 38-45, Col. 4, lines 39-42 and Claim 1, lines 14-17).

Claims 9-15, 17-18, 22, 25 and 29-31 are rejected for the same reasons as claim 7. Claim 27 is rejected for the same reasons as claim 20.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 16, 21 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornell et al (US 6, 330, 320) in view of Catanzaro et al. (US 6, 438, 111).

Cornell et al. disclose the invention as claimed except for the use of an IP address as part of the string of digits used to derive a conference I.D. Catanzaro et al.

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teaches "[...] a bridging system comprises a router and a number of multipoint servers. For each user requesting to join a particular conference, the router routes the call to a particular server and, if necessary, causes additional servers to be added to increase the capacity for that conference. For example, upon receipt of a user request to join a conference associated with server A, the router first interrogates server A as to current spare capacity. If server A has additional capacity, the router routes the user to server A. However, if server A cannot accommodate the user, the router causes server A to invite an additional server--server B--to join the conference. After server B joins the conference, the router routes the user to server B." (See Summary of the Invention, Col. 2, lines 14-26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cornell's et al. claimed invention by using an IP address as part of the string of digits used to derive a conference I.D.; and thus as per Cantazaro's et al. teachings be able to provide for a teleconferencing bridge that allows a larger capacity of conferees or participants in a teleconference call without having to replace the equipment in use with a new server.

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cornell et al. (US 6, 330, 320) in view of Allen et al. (US 5, 495, 522).

Cornell et al. disclose the invention as claimed except for the digital signal processor (DSP) device. Allen et al. teaches "[...] the DSPs respond the control parameters for at least initializing a teleconference among a plurality of phone channels.

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A host processor is coupled to the DSPs to generate and store for access those control parameters. By this mechanism, the DSPs can maintain the teleconferencing functionally between at least selected phone channels in the event of a selected fault by the host processor (i.e., the host processor goes "down")." (See Summary of the Invention, Col. 2, lines 51-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cornell's et al. invention by adding a digital signal processor device as per the teachings of Allen et al.; therefore provide a more stable and efficient teleconferencing bridge, so if the host processor unit goes down the conferees will not experience loss of service during a scheduled teleconference.

5. Claims 23-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cornell et al. (US 5,233, 542) in view of Renton (US 5,233, 642).

Cornell et al. disclose the invention as claimed except for utilizing information derived from the telephone number or area code for billing purposes. Renton teaches "[...] when a long distance call is made the evaluation program 254 can examine the area code section of the dialed phone number and make different evaluations based upon the area code dialed for the outbound call. The long-distance area code could be used to determine the rate at which to bill the call. Calls with area codes of 800 and 900 could be specially handled." (See Detailed Description of the Invention, Col. 15, lines 54-61).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cornell's et al. invention by utilizing information derived from the telephone number or area code for billing purposes, thus the conferees pay for long-distance charges incurred during the call and allow the host to being able to conduct a teleconference call without having to pay extra charges for the use of a toll-free number.

Allowable Subject Matter

6. Claim 28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (703) 305-0684. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7201.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Marie C. Ubiles
December 22, 2003


AHMAD F. MATAR
SUPERVISORY PATENT EXAMINER
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